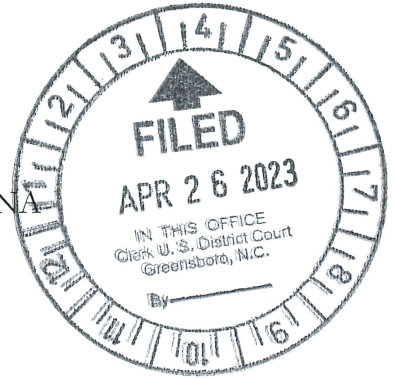


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

v.

JAIME ROSADO FONTANEZ

1:22CR303-3

ORDER GRANTING MOTION TO CONTINUE

On April 26, 2023, an arraignment was held and Defendant entered a plea of not guilty to the offense(s) contained in the Indictment. Thereafter, counsel for Defendant moved to continue this trial to the July 2023 Criminal Term. The Government did not oppose Defendant's oral Motion. After consideration of Defendant's request, the arguments of counsel and the facts presented, the Court finds good cause for granting Defendant's motion to continue trial, and enters this order to memorialize the Court's ruling.

The Court makes the following findings of fact:

1. Defendant informed the Court that a continuance is necessary in this case for the reasons stated in open court.
2. A continuance is appropriate under 18 U.S.C. § 3161 for the following reason(s):
[X] A continuance is necessary to permit counsel for [X] Defendant [] The Government [] both parties reasonable time to prepare for trial, taking into consideration the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

[X] The failure to grant a continuance would unreasonably deny the Defendant continuity of counsel, taking into account the exercise of due diligence, based on the facts set forth above. See 18 U.S.C. § 3161(h)(7)(B)(iv).

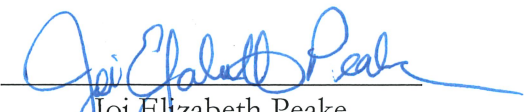
3. This continuance is not requested or granted due to general congestion of the Court's calendar, the lack of diligent preparation, or failure to obtain available witnesses on the part of the attorney for the Government. See 18 U.S.C. § 3161(h)(7)(C).
4. The Parties will be advised of the deadlines for the applicable criminal term and understand they are expected to comply with those deadlines, including the deadline for filing any plea agreement.
5. The Court finds that a continuance is necessary for the reasons stated above. The Court further finds that the ends of justice served by this continuance outweigh the interests of the public and Defendant in a speedy trial.

IT IS THEREFORE ORDERED that Defendant's motion made in open court at arraignment is **GRANTED** and that the trial of this matter is set for the July 2023 Trial Calendar.

IT IS FURTHER ORDERED that the Court finds that the ends of justice served by taking such action outweigh the best interest of the public and Defendant in a speedy trial as set forth in 18 U.S.C. § 3161 et seq. and that the period of time up to and including July 17,

2023, be and is hereby excluded from the provisions of Title 18, United States Code, Section 3161, et seq.

This the 26th day of April, 2023.


Joi Elizabeth Peake
United States Magistrate Judge